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Gregory J. Falada

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EXAMINER

PREVIL, DANIEL

ART UNIT

PAPER NUMBER

2636

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5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/027,025

Applicant(s)

FALADA ET AL.

Examiner

Daniel Previl

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl et al. (US 5,400,018) in view of Moore-McKee et al. (US 5,648,898).

Regarding claim 1, Scholl discloses a method of information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising the step of: relaying information from the plurality of machines to a central location over a communications data link (relay information from vehicles 104, 106 to a service center 110 and to a dealer service center via a hub 112) (fig. 1; col. 2, lines 58-66); selecting a subset of machines from the plurality of machines as a function of machine parameters (electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters) (fig. 2; col. 3, lines 18-29); information relayed from only the subset of machines (the ECM may transfer the sensor information it receives and some of the parameters) (col. 3, lines 25-29).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 2, the above combination discloses all the limitations in claim 1 and Moore-McKee discloses machine parameters includes at least one of a machine model (col. 1, lines 45-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the machine model to the central location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 3, Scholl discloses the machine parameters includes a distance from a selected location (distance from worksite 102 to service center 118) (fig. 1).

Regarding claim 6, Scholl discloses the information relayed from the machine includes a date and time stamp (col. 3, lines 7-12; col. 5, lines 10-21).

Regarding claim 7, the above combination discloses all the limitations in claim 1 and Moore-McKee discloses further the information relayed from the machine includes a service meter update (col. 7, line 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would relay efficiently a service meter information to a remote location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 8, Scholl discloses the information relayed from the machine includes a fuel level (fuel rate) (col. 5, lines 10-20).

Regarding claim 9, Scholl discloses the information relayed from the machine includes a location (service center 118) (fig. 1, ref. 118).

Regarding claim 10, Scholl discloses the information relayed from the machine includes diagnostic information (col. 3, lines 52-53).

Regarding claim 11, Scholl discloses the information relayed from the machine includes status information (col. 5, lines 65-68).

Regarding claim 12, Scholl discloses the central location is a dealer (fig. 1, ref. 118; col.2, lines 65-66).

3. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl et al. (US 5,400,018) in view of Moore-McKee et al. (US 5,648,898) and further in view of Cannon et al. (US 6,408,232).

Regarding claim 4, Scholl and Moore-McKee disclose all the limitations in claim 1 but fail to explicitly disclose the machine parameters includes a rental status.

However, Cannon discloses the machine parameters includes a rental status (col. 2, line 45; col. 8, lines 49-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon in Scholl and Moore-McKee. Doing so would monitor efficiently information related to the rental status of the vehicle in order to maintain complete and accurate statistical information related to the vehicles for safety and economical purposes as taught by Cannon (col. 1, lines 13-47).

Regarding claim 5, Scholl and Moore-McKee discloses all the limitations in claim 1 but fail to explicitly disclose the machine parameters includes a registration status.

However, Cannon discloses the machine parameters includes a registration status (col. 4, lines 31-53).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon in Scholl and Moore-McKee. Doing so would record efficiently information register related to the vehicle in order to display vehicle statistics to the owner for safety and economical purposes as taught by Cannon (col. 4, lines 40-43).

4. Claims 13-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl et al. (US 5,400,018) in view of Moore-McKee et al. (US 5,648,898).

Regarding claim 13, Scholl discloses a method of information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising the step of: relaying information from the plurality of machines to a central location over a communications data link (relay information from vehicles 104, 106 to a service center 110 and to a dealer service center via a hub 112) (fig. 1; col. 2, lines 58-66); selecting a subset of machines from the plurality of machines as a function of machine parameters input by a user (electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information

and may also generate its own set of parameters, the data is used by vehicle specialists 220 and experts 222 to generate instructions) (fig. 2; col. 3, lines 18-29 and 43-44); information relayed from only the subset of machines (the ECM may transfer the sensor information it receives and some of the parameters) (col. 3, lines 25-29).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information; and providing a graphical user interface for operation by the user.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61); and providing a graphical user interface for operation by the user (fig. 8-9, fig. 21; col. 3, lines 50-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 14, Scholl discloses the step of providing a search equipment screen (monitor 210) for allowing the user to select the at least one machine from the plurality of machines (the diagnostics, prognostics



are implemented on the monitor 210, data is used by specialists 220) (col. 3, lines 39-60).

Regarding claim 15, Scholl discloses the step of providing a history dialog for displaying a history of a selected machine (expert at the remote location analyzes the fault code in view of the history of the vehicle) (col. 6, lines 25-26).

Regarding claim 16, Scholl discloses the history is one of a status type (col. 4, lines 47-53).

Regarding claim 17, Scholl discloses the step of providing a send commands screen (monitor 210) for sending commands to the machines (col. 4, lines 61-68).

Regarding claim 18, Scholl discloses the step of providing a reports screen for defining a report (request information) (col. 4, lines 54-65).

Regarding claim 19, Scholl discloses the step of providing an event reaction screen for defining reactions to specified events (col. 4, lines 38-68).

Regarding claim 20, Scholl discloses the step of providing a view screen (monitor 210) for displaying information related to a selected machine (col. 3, lines 39-63).

Regarding claim 21, the above combination discloses all the limitations in claim 13 and Moore-McKee further discloses the display information is one of a service meter (col. 7, line 13). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would relay efficiently a service meter information to a remote location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 22, the above combination discloses all the limitations in claim 13 and Moore-McKee further discloses the step of providing a product watch screen for defining a product watch for at least one machine (fig. 14, fig. 17). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

5. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl et al. (US 5,400,018) in view of Moore-McKee et al. (US 5,648,898).

Regarding claim 23, Scholl discloses a method of information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising the step of: relaying information from the

plurality of machines to a central location over a communications data link (relay information from vehicles 104, 106 to a service center 110 and to a dealer service center via a hub 112) (fig. 1; col. 2, lines 58-66); selecting a subset of machines from the plurality of machines as a function of machine parameters (electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters) (fig. 2; col. 3, lines 18-29); information relayed from only the subset of machines, wherein the machine parameters includes a fuel level (fuel rate) (the ECM may transfer the sensor information it receives and some of the parameters) (col. 3, lines 25-29; col. 5, lines 10-20).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

6. Claims 24-26, 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl in view of Moore-McKee.

Regarding claim 24, Scholl discloses a system for information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising: a data module (diagnostics 308 and prognostics 304) coupled to each of the plurality of machines (104, 106) (col. 3, lines 48-50); the data module adapted to collect and store information related to a corresponding machine (diagnostics, prognostic are implemented by on the monitor 210 which is a microprocessor inherently store information related to a machine) (col. 3, lines 18-29 and 48-60); a data link (satellite 212) couple to the data module 308 (fig. 3, ref. 212, 308); the data link adapted to transmit data and information between the data module coupled to each machine (col. 3, lines 30-47); information relayed from only a subset of the plurality of machines (col. 3, lines 18-29); the subset selected from the plurality of machines as a function of machine parameters input by a user (electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters, the data is used by vehicle specialists 220 and experts 222 to generate instructions) (fig. 2; col. 3, lines 18-29 and 43-44).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 25, the above combination discloses all the limitations in claim 1 and Moore-McKee discloses machine parameters includes at least one of a machine model (col. 1, lines 45-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the machine model to the central location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 26, Scholl discloses the machine parameters includes a distance from a selected location (distance from worksite 102 to service center 118) (fig. 1).

Regarding claim 29, Scholl discloses the information relayed from the machine includes a date and time stamp (col. 3, lines 7-12; col. 5, lines 10-21).

Regarding claim 30, the above combination discloses all the limitations in claim 1 and Moore-McKee discloses further the information relayed from the machine includes a service meter update (col. 7, line 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would relay efficiently a service meter information to a remote location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 31, Scholl discloses the information relayed from the machine includes a fuel level (fuel rate) (col. 5, lines 10-20).

Regarding claim 32, Scholl discloses the information relayed from the machine includes a location (service center 118) (fig. 1, ref. 118).

Regarding claim 33, Scholl discloses the information relayed from the machine includes diagnostic information (col. 3, lines 52-53).

Regarding claim 34, Scholl discloses the information relayed from the machine includes status information (col. 5, lines 65-68).

7. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl in view of Moore-McKee and further in view of Cannon et al. (US 6,408,232).

Regarding claim 27, Scholl and Moore-McKee disclose all the limitations in claim 1 but fail to explicitly disclose the machine parameters includes a rental status.

However, Cannon discloses the machine parameters includes a rental status (col. 2, line 45; col. 8, lines 49-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon in Scholl and Moore-McKee. Doing so would monitor efficiently information related to the rental status of the vehicle in order to maintain complete and accurate statistical information related to the vehicles for safety and economical purposes as taught by Cannon (col. 1, lines 13-47).

Regarding claim 28, Scholl and Moore-McKee discloses all the limitations in claim 1 but fail to explicitly disclose the machine parameters includes a registration status.

However, Cannon discloses the machine parameters includes a registration status (col. 4, lines 31-53).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon in Scholl and Moore-McKee. Doing so would record efficiently information register related to the vehicle in order to display vehicle statistics to the owner for safety and economical purposes as taught by Cannon (col. 4, lines 40-43).

8. Claims 35-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl in view of Moore-McKee.

Regarding claim 35, Scholl discloses a system for information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising: a data module (diagnostics 308 and prognostics 304) coupled to each of the plurality of machines (104, 106) (col. 3, lines 48-50); the data module adapted to collect and store information related to a corresponding machine (diagnostics, prognostic are implemented by on the monitor 210 which is a microprocessor inherently store information related to a machine) (col. 3, lines 18-29 and 48-60); a data link (satellite 212) couple to the data module 308 (fig. 3, ref. 212, 308); the data link adapted to transmit data and information between the data module coupled to each machine (col. 3, lines 30-47); information relayed from only a subset of the plurality of machines (col. 3, lines 18-29); the subset selected from the plurality of machines as a function of machine parameters input by a user (electronic control modules are used



to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters, the data is used by vehicle specialists 220 and experts 222 to generate instructions) (fig. 2; col. 3, lines 18-29 and 43-44).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information; and providing a graphical user interface for operation by the user.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61); and providing a graphical user interface for operation by the user (fig. 8-9, fig. 21; col. 3, lines 50-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 36, Scholl discloses the step of providing a search equipment screen (monitor 210) for allowing the user to select the at least one machine from the plurality of machines (the diagnostics, prognostics are implemented on the monitor 210, data is used by specialists 220) (col. 3, lines 39-60).

Regarding claim 37, Scholl discloses the step of providing a history dialog for displaying a history of a selected machine (expert at the remote location analyzes the fault code in view of the history of the vehicle) (col. 6, lines 25-26).

Regarding claim 38, Scholl discloses the history is one of a status type (col. 4, lines 47-53).

Regarding claim 39, Scholl discloses the step of providing a send commands screen (monitor 210) for sending commands to the machines (col. 4, lines 61-68).

Regarding claim 40, Scholl discloses the step of providing a reports screen for defining a report (request information) (col. 4, lines 54-65).

Regarding claim 41, Scholl discloses the step of providing an event reaction screen for defining reactions to specified events (col. 4, lines 38-68).

Regarding claim 42, Scholl discloses the step of providing a view screen (monitor 210) for displaying information related to a selected machine (col. 3, lines 39-63).

Regarding claim 43, the above combination discloses all the limitations in claim 13 and Moore-McKee further discloses the display information is one of a service meter (col. 7, line 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl.

Doing so would relay efficiently a service meter information to a remote location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 44, the above combination discloses all the limitations in claim 13 and Moore-McKee further discloses the step of providing a product watch screen for defining a product watch for at least one machine (fig. 14, fig. 17). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

9. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl in view of Moore-McKee

Regarding claim 45, Scholl discloses a system for information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising: a data module (diagnostics 308 and prognostics 304) coupled to each of the plurality of machines (104, 106) (col. 3, lines 48-50); the data module adapted to collect and store

information related to a corresponding machine (diagnostics, prognostic are implemented by on the monitor 210 which is a microprocessor inherently store information related to a machine) (col. 3, lines 18-29 and 48-60); a data link (satellite 212) couple to the data module 308 (fig. 3, ref. 212, 308); the data link adapted to transmit data and information between the data module coupled to each machine (col. 3, lines 30-47); information relayed from only a subset of the plurality of machines (col. 3, lines 18-29); the subset selected from the plurality of machines as a function of machine parameters input by a user (electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters, the data is used by vehicle specialists 220 and experts 222 to generate instructions) (fig. 2; col. 3, lines 18-29 and 43-44); wherein the machine parameters include a fuel level (fuel rate) (col. 5, lines 10-20).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would Scholl discloses every feature

of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

10. Claims 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl (US 5,400,018) in view of Moore-McKee (US 5,648,898).

Regarding claim 46, Scholl discloses a computer relating to the status of at least one machine of a plurality of machines, wherein information from the plurality of machines is relayed to a central location over a communication data link (fig. 1) comprising: the step of selecting a subset of machines from the plurality of machines as a function of machine parameters (col. 3, lines 18-29); relayed from only the subset of machines (col. 3, lines 21-29).

Scholl discloses all the limitations in claim 46 but fails to explicitly disclose computer readable program for displaying information.

However, Moore-McKee discloses computer readable program code means for displaying information (col. 3, lines 44-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

Regarding claim 47, the above combination discloses all the limitations in claim 1 and Moore-McKee discloses machine parameters includes at least one of a machine model (col. 1, lines 45-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the machine model to the central location so this information could be used to perform diagnostics, prognostics and prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

11. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl et al. (US 5,400,018) in view of Moore-McKee et al. (US 5,648,898).

Regarding claim 48, Scholl discloses a method of information relating to the status of at least one machine of a plurality of machines (col. 2, lines 45-57) comprising the step of: relaying information from the plurality of machines to a central location over a communications data link (relay information from vehicles 104, 106 to a service center 110 and to a dealer service center via a hub 112) (fig. 1; col. 2, lines 58-66); selecting a subset of machines from the plurality of machines as a function of machine parameters (electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters) (fig. 2; col. 3, lines 18-29); information relayed from only the subset of machines (the ECM may transfer the sensor information it receives and some of the parameters) (col. 3, lines 25-29).

Scholl discloses every feature of the claimed invention but fails to specifically disclose the step of displaying information.

However, Moore-McKee discloses the step of displaying information (col. 1, lines 60-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moore-McKee in Scholl. Doing so would display accurately the information relating to the machine to the central location so this information could be used to perform diagnostics, prognostics and to prevent a breakdown before it occurs for the safety purposes as taught by Moore-McKee (col. 1, lines 57-65).

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ginzel et al. (US 5,347,260) discloses a method and apparatus for receiving data.

Blahnik et al. (US 6,385,494) discloses a system and method for producing production control software.

Bunn (US 6,584,403) discloses an automated vehicle tracking and service provision system.




Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is 703 305-1028. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on 703 305-4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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